

PHILIP C. HUNSUCKER (SBN 135860)
BRIAN L. ZAGON (SBN 142403)
MARC SHAPP (SBN 266805)
HUNSUCKER GOODSTEIN PC
3717 Mt. Diablo Blvd., Suite 200
Lafayette, CA 94549
Telephone: (925) 284-0840
Facsimile: (925) 284-0870

LEE N. SMITH (SBN 138071)
PERKINS, MANN & EVERETT, APC
7815 N. Palm Ave, Suite 200
Fresno, CA 93711
Telephone: (559) 447-5700
Facsimile: (559) 447-5600

Attorneys for Plaintiff
AMERIPRIDE SERVICES INC.

FRED M. BLUM, ESQ. (SBN 101586)
ERIN K. POPPLER, ESQ. (SBN 267724)
VIVY D. DANG, ESQ. (SBN 297714)
BASSI, EDLIN, HUIE & BLUM LLP
500 Washington Street, Suite 700
San Francisco, CA 94111
Telephone: (415) 397-9006
Facsimile: (415) 397-1339

Atorneys for Defendant
TEXAS EASTERN OVERSEAS, INC.
[Additional Attorneys Listed on Signature Page]

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

AMERIPRIDE SERVICES INC.,
Plaintiffs,
vs.
VALLEY INDUSTRIAL SERVICES, INC., a former California corporation, et al.,
Defendants.) Case No. 2:00-cv-00113-MCE-EFB
) JOINT REQUEST AND ORDER TO
) INCREASE THE PAGE LIMITATION ON
) DISPOSITIVE MOTIONS AND RELATED
) OPPOSITIONS AND REPLIES
) Judge: Hon. Morrison C. England
) Trial Date: August 5, 2016
) MS. L Filing Deadline: February 25, 2016

1436025

1 Plaintiff AMERIPRIDE SERVICES INC. ("AmeriPride") and Defendant TEXAS
2 EASTERN OVERSEAS, INC. ("TEO"), by and through their respective counsel,
3 respectfully submit this joint request for relief from the Court's page limitations on
4 dispositive motions and the related oppositions and replies.

5 Pursuant to the Court's July 20, 2015 Pretrial Scheduling Order, "[t]he Court
6 places a page limit for points and authorities (exclusive of exhibits and other supporting
7 documentation) of twenty (20) pages on all initial moving papers, twenty (20) pages on
8 oppositions, and ten (10) pages for replies. All requests for page limit increases must
9 be made in writing to the Court setting forth any and all reasons for any increase in
10 page limit at least fourteen (14) days prior to the filing of the motion." Absent a Court
11 order, the parties must include all of their summary judgment issues in one motion or
12 cross-motion. Dkt. 988 at 5-6.¹

13 The Parties respectfully request the following page limit increases: (1) twenty-
14 seven (27) pages for initial moving papers; (2) twenty-seven (27) pages for oppositions;
15 and (3) eighteen (18) pages for replies.

16 Good cause exists to grant the Parties' request to exceed the page limit. The
17 Court's July 20, 2015 Order states that "all purely legal issues are to be resolved by
18 timely pretrial motions." Dkt. 988, 5:18. There are purely legal issues in dispute
19 between the Parties relating to all three of the remanded issues from the Ninth Circuit
20 Court of Appeals. AmeriPride Services, Inc. v. Texas Eastern Overseas, Inc., 782 F. 3d
21 479, 492 (9th Cir. 2015). The Parties also intend to move on issues involving mixed
22 questions of fact and law where they think the material facts are undisputed.

23 TEO contends that the legal issues are numerous, and many of them complex.

24 By granting the Parties' request for additional pages, each of the legal issues in
25 dispute and other issues capable of resolution on summary judgment can be adequately
26 and meaningfully briefed for the Court. The result will be enhanced judicial economy.

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28 ¹ "Dkt." refers to the Court's ECF Docket number for this case.

1 The Parties will have a full opportunity to resolve as many issues as possible through
2 their dispositive motions, which will streamline the Parties' presentation of evidence and
3 witnesses to the Court at the one-day trial set for August 5, 2016. Further, even if an
4 issue is not entirely resolved by dispositive motion, the Court will have the benefit of the
5 Parties' full briefing of each issue, which may help orient and familiarize the Court with
6 the outstanding disputes prior to the one-day trial.

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8
9 Date: February 4, 2016 BASSI, EDLIN, HUIE & BLUM LLP

10 By: */s/ Erin K. Poppler*
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12 FRED M. BLUM
13 ERIN K. POPPLER
14 Attorneys for Defendant
15 TEXAS EASTERN OVERSEAS, INC.

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17
18 Date: February 4, 2016 WILSON, ELSER, MOSKOWITZ, EDELMAN &
19 DICKER LLP

20 By: */s/ Shana Inspektor*

21 RONALD S. BUSHNER (SBN 98352)
22 SHANA INSPEKTOR (SBN 291841)
23 WILSON, ELSER, MOSKOWITZ, EDELMAN
24 & DICKER LLP
25 525 Market Street, 17th Floor
26 San Francisco, California 94105-2725
27 Telephone: (415) 433-0990
28 Facsimile: (415) 434 1370
Attorneys for Defendant
TEXAS EASTERN OVERSEAS, INC.

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1 Date: February 4, 2016

HUNSUCKER GOODSTEIN PC

2 By: /s/ Brian L. Zagon

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4 PHILIP C. HUNSUCKER
5 BRIAN L. ZAGON
6 Attorneys for Plaintiffs
7 AMERIPRIDE SERVICES INC.

8 Date: February 4, 2016

9 PERKINS MANN & EVERETT, APC

10 By: /s/ Lee N. Smith

11 LEE N. SMITH
12 Attorneys for Plaintiffs
13 AMERIPRIDE SERVICES INC.

14 **ORDER**

15 The foregoing Joint Request is GRANTED. The memorandum of points and
16 authorities in support of dispositive motions, and any oppositions thereto, shall not
17 exceed twenty-seven (27) pages. Associated reply briefs shall not exceed eighteen
18 (18) pages.

19 IT IS SO ORDERED.

20 Dated: February 10, 2016

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22 
23 MORRISON C. ENGLAND, JR. CHIEF JUDGE
24 UNITED STATES DISTRICT COURT
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